

REMARKS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

This amendment is submitted in accordance with 37 C.F.R. § 1.116, which after final rejection permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. The present amendment places the claims in condition for allowance, and does not raise new issues requiring further search and/or consideration. Therefore, it is respectfully requested that the present amendment be entered under 37 C.F.R. § 1.116.

Claims 31-54 and 56-61 are pending. Claim 47 is amended. No new matter is introduced.

In the outstanding Office Action, Claims 47-54 and 56-60 were rejected under 35 U.S.C. § 112, second paragraph; Claims 31-54 and 56-61 were rejected under 35 U.S.C. § 112, first paragraph; Claims 31-36, 38-43, 47-48, 50-54 and 56-61 were rejected under 35 U.S.C. § 102(e) as being anticipated by England (U.S. Patent No. 6,144,991); Claims 37, 44, 46 and 49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over England in view of Tang et al. (U.S. Patent No. 5,793,365, hereinafter "Tang"); Claim 45 was rejected under 35 U.S.C. § 103(a) as being unpatentable over England in view of Kakuta et al. (U.S. Patent No. 6,714,965, hereafter "Kakuta").

Initially, Claim 47 is amended to adopt the Examiner's suggestion in conformity with the requirements of 35 U.S.C. § 112, second paragraph. As Claims 48-54 and 56-60 depend from amended Claim 47, it is respectfully requested that the rejection of Claims 47-54 and 56-60 under 35 U.S.C. § 112, second paragraph be withdrawn.

With respect to the rejection of Claims 31-54 and 56-61 under 35 U.S.C. § 112, first paragraph, this rejection is respectfully traversed as non-limiting support for a “first information site being maintained independently from the management unit” may be found at least at page 3, lines 14-27 of the specification. For example, an infrastructure created separate from an open computer network, such as the Internet, and information sites in the Internet are described. As such, one of ordinary skill in the art would recognize, from at least the above-noted passage, that information sites are maintained independently from the management unit of the claimed system.

MPEP § 2163.04 states that the written description requirement of 35 U.S.C. § 112, first paragraph is met, unless one of ordinary skill in the art would not recognize in Applicants’ disclosure or description of the invention defined by the claims. It is therefore submitted that Claims 31-54 and 56-61 conform to the requirements of 35 U.S.C. § 112, first paragraph. Accordingly, it is respectfully requested that the rejection of Claims 31-54 and 56-61 under 35 U.S.C. § 112, first paragraph, be withdrawn.

If, however, the Examiner continues to disagree that Claims 31-54 and 56-61 conform to the requirements of 35 U.S.C. § 112, first paragraph, it is respectfully requested that the Examiner provide a showing of substantial evidence, why a person skilled in the art would not recognize in the present disclosure a description of a first information site being maintained independently from the management unit, as defined by the claims.¹

Turning to the rejection of Claims 31-36, 38-43, and 61 as being anticipated by England, this rejection is respectfully traversed.

¹ MPEP § 2163.04.

Claim 31 is directed to a system for communicating over an open computer network,
and recites, *inter alia*:

a management unit configured to distribute a plurality
of data from a database to a plurality of remote users,

a first terminal associated with a first user and
configured to access a first information site, said first
information site being maintained independently from the
management unit, and configured to acquire a client program
from the management unit . . .

...said management unit is configured to access the
database and determine a collection of related information sites
containing related information associated with the internet
address of the first information site;

said management unit is *configured to identify a second
user at a second terminal, having the client program, said
second user accessing at least one other related information
site* of the collection of said related information sites containing
related information associated with the internet address of the
first information site and said management unit is configured to
receive an IP address of the second terminal . . . (emphasis
added).

The applied reference, England, describes a software system for real-time interaction
between a guide/specialist and a client over the World Wide Web.² England also describes a
“client” as a user of a computer who sends messages to the guide, and receives messages
from the guide, and a “guide” as a user of a computer who leads one or more clients by
sending messages to the clients and/or propagating web pages to the clients.³ The system
used by the guide and client to conduct real-time interactions includes a guide system (1206),
a piper server (502), a client system (1208), and an HTTP server (1204).⁴ The real-time
interactions are directed by the guide who controls loading of a presentation frame (902) in a

² See the Abstract of England.

³ England at column 10, lines 35-55.

⁴ England at column 13, line 65 to column 15, line 25; see also Figure 2.

client's web browser, as well as initiating instructions which are communicated to all connected client systems via the piper server (502).⁵

However, England does not describe that either the piper server (502) or the HTTP server (1204) is configured to identify a client that is accessing another information site related to an information site being accessed by the guide. Instead, England describes that guide/client sessions are initiated by clicking on a "Hamelin link."⁶ Thus, instead of configuring the piper server (502) or the HTTP server (1204) to identify the client or the guides, England requires each user (i.e. the client or the guide) to identify themselves by clicking on a specific link in a specific webpage (i.e. a Help Desk webpage) in order to initiate a session. Conversely, Claim 1 recites that said management unit is configured to identify a second user at a second terminal that is *accessing at least one other related information site of the collection of related information sites related to the first information site*. Therefore, it is submitted that England fails to disclose the claimed management unit, and Claim 1, together with any claims depending therefrom, is believed to be in condition for allowance.

Moreover, Claim 47 recites features substantially similar to those recited in amended Claim 31, and is thus believed to be in condition for allowance, together with its corresponding dependent claims, for substantially the same reasons. Accordingly, it is respectfully requested that the rejection of Claims 31-36, 38-43, 47-48, 50-54, and 56-61 under 35 U.S.C. § 102(c) be withdrawn.

As all other rejections of record rely upon England for describing the above-distinguished features, and the above-distinguished features are not disclosed or suggested by England, alone or in combination with any other art of record, it is respectfully submitted that

⁵ England at columns 12-13; see also column 6, lines 20-30.

⁶ England at column 11, lines 34-65; also column 12, lines 1-15.

a *prima facie* case of obviousness has not been presented. Accordingly, it is respectfully requested that the rejection of Claims 37, 44-46, and 49 under 35 U.S.C. § 103(a) be withdrawn.

For the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for Claims 31-54 and 56-61 is earnestly solicited.


Should, however, the above distinctions be found unpersuasive, Applicants respectfully request that the Examiner provide an explanation via Advisory Action pursuant to MPEP § 714.13 specifically rebutting the points raised herein for purposes of facilitating the appeal process.

Respectfully submitted,

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